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REMARKS

Applicant wishes to thank the Examiner for the detailed remarks. Claim 18 was amended only to address the 35 USC §112 rejection. Also, each of the previously withdrawn claims has been cancelled. Accordingly, claims 1-4, 6, 13, and 17-20 are pending.

Claims 1-4, 6, 13, and 17 were rejected under 35 USC §102(b) as being anticipated by *Huber* (6,151,978). Applicant respectfully traverses this rejection. The Examiner refers to column 3, lines 21-26 to suggest that *Huber* “*implicitly* determines relative movement between the first rotational component (being the input shaft 16) and the second rotational component (being the transmission input shaft 20) via the speed sensor (40) and the speed sensor (42) respectively, indicative of an approximate zero torque condition.” [Emphasis added.] As noted by the Examiner, each of the sensors (40, 42) provides “speed information regarding those shafts.” [Col. 3, lines 25-26.] The Examiner is therefore essentially re-iterating Applicant’s point that the *Huber* reference is similar to the prior art discussed in the background section of the instant application. In other words, *Huber* is measuring the exact speed of the shafts so that the engine control can cause the engine to be driven in a known manner to a speed that results in the zero torque condition. *Huber* specifically recites:

The controller 32 communicates with the engine control 34 to cause the engine 12 to be driven in a known manner to a speed that results in a zero torque between the engine output shaft 16 and the transmission input shaft 20. Once zero torque conditions are achieved, the shift actuator 36 causes the transmission 14 to be moved out of the currently engaged gear into neutral. The controller 32 then communicates with the engine control 34 to cause the engine 12 to be driven to a synchronization speed in a known manner so that the selected gear can be engaged. Under synchronous conditions, the shift actuator 36 is commanded to move the transmission 14 into the selected gear. Once the selected gear is engaged, engine control is returned to the driver of the vehicle to continue driving.

[Col. 2:59 – Col. 3:7, emphasis added.]

Huber therefore fails to disclose or suggest determining a relative movement between said first rotational component and said second rotational component indicative of an approximately zero torque condition in claims 1, 13, and 17. *Huber* discloses determining shaft speed then

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specifically driving the engine 12 in response to the measured shaft speeds to reach a zero torque condition. In other words, *Huber* could be considered proactive with regard to forcing the zero torque condition while the present invention may be considered reactive in that it determines when an approximately zero torque condition occurs by determining a relative movement, not by directly measuring shaft speed.

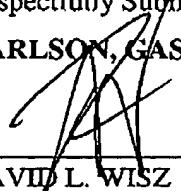
Claim 19 recites wherein said movement includes a predetermined signature. Again, such language recites the reactive nature of the present invention. *Huber*, again, is specifically measuring shaft speeds, not attempting to determine a predetermined signature. Claim 19 is properly allowable.

Claim 20 recites determining a predetermined noise signature indicative of the approximately zero torque condition. *Huber* fails to disclose or suggest determining any sort of signature, and certainly does not disclose or suggest determining a predetermined noise signature as recited in claim 20. Claim 20 is properly allowable.

Applicant believes that no additional fees are required. However, should any additional fees or extensions of time be required, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,
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